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EXAMINER

TAN, ALVIN H

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/715,187	<b>Applicant(s)</b> FINKE-ANLAUFF ET AL.	
	<b>Examiner</b> ALVIN H. TAN	<b>Art Unit</b> 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/16/08</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Remarks***

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 1/14/09. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

Claims 1-47 have been examined and rejected. This Office action is responsive to the amendment filed on 1/14/09, which has been entered in the above identified application.

### ***Claim Objections***

2. Claims 12 and 34 are objected to because of the following informalities:
- a. On *[line 2]* of claim 12, Examiner suggests changing “the current time” to -  
-a current time--.
  - b. On *[line 3]* of claim 34, Examiner suggests changing “the size” to --a size--  
and "the date column" to --a date column--.
  - c. On *[line 1]* of claim 39, Examiner suggests changing “Claim 41” to --Claim  
38--.

Appropriate correction is required.

### ***Double Patenting***

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3. The provisional non-statutory double patenting rejection will be held in abeyance until such time as a patent issues based upon one of these applications, at which time a substantive response will be provided if the rejection under the judicially created doctrine of obviousness-type double patenting is maintained.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 6-17, 20-22, 26-33, 37, and 40-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Vronay et al (Pub. No. US 2003/0156138 A1).

**Claims 1, 2, 6-17, 42**

5-1. Regarding claim 1, Vronay teaches the claim comprising a computer readable storage medium; and computer-readable program instructions embodied in the medium, the computer-readable program instructions including: first instructions for receiving manual entry of events and generating a calendar view that represents time in calendar format and visually associates events with respective periods of time, by disclosing a calendar-based user interface that improves user accessibility of information from a

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computer *[paragraph 1]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches second instructions for generating a media view that provides access to digital media files and associates digital media files with a period of time, by disclosing that photos may be searched for and accessed *[paragraph 65; figure 11]*.

Vronay teaches wherein at least one of the events is created and represented in the calendar view independent of any digital media files, by disclosing that events are marked on the calendar to allow users to easily track important events *[paragraphs 39-42]*.

5-2. Regarding claim 2, Vronay discloses the product of claim 1, wherein the second instructions for generating the media view associate digital media files with event information, by disclosing utilizing information stored in a calendar system database as well as information determined by similarity and chunking system to display different levels of time-based information relating the user computer activities and files *[paragraph 33]*.

5-3. Regarding claim 6, Vronay discloses the product of claim 1, wherein said first instructions are configured to receive manual entry of events and store metadata respectively associated with the events, and wherein the first and second instructions operate concurrently to correlate respective metadata information of the media files and

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calendar events, by disclosing that metadata may be associated with certain events based on computer activity *[paragraph 37]*. Information stored in a calendar system database is utilized as well as information determined by similarity and chunking system to display different levels of time-based information relating the user computer activities and files *[paragraph 33]*.

5-4. Regarding claim 7, Vronay discloses the product of claim 1, wherein said first instructions are configured to receive manual entry of events and store metadata respectively associated with the events, and wherein the first and second instructions operate concurrently to combine previously distinct metadata information of one of the media files and a relevant calendar event, respectively, the relevant calendar event being manually created and represented in the calendar view independent of any digital media files, by disclosing that metadata may be associated with certain events based on computer activity *[paragraph 37]*. Information stored in a calendar system database is utilized as well as information determined by similarity and chunking system to display different levels of time-based information relating the user computer activities and files *[paragraph 33]*.

5-5. Regarding claim 8, Vronay discloses the product of claim 7, wherein the first and second instructions operate concurrently to store the combined metadata information into the metadata information of the media file, by disclosing that metadata can be added to the files *[paragraphs 60-61]*.

5-6. Regarding claim 9, Vronay discloses the product of claim 8, wherein the first and second instructions operate concurrently to display, in the media view, an item of information in the metadata as a title for a group of media files having the same metadata as used in the title, by disclosing searching for and displaying matched items under a title representative of the metadata searched for such as 'Dad' *[paragraph 55, figure 7]* or a specific date *[figure 11]*.

5-7. Regarding claim 10, Vronay discloses the product of claim 9, further comprising third instructions for searching the calendar view and the media view in terms of time period, by disclosing searching based on dates *[figure 5]*.

5-8. Regarding claim 11, Vronay discloses the product of claim 10, further comprising third instructions for searching the calendar view and the media view in terms of any combination of metadata information, by disclosing searching based on various metadata *[figures 6, 8, 9]*.

5-9. Regarding claim 12, Vronay discloses the product of claim 1, wherein the first instructions also generate an indicator for a current time, by disclosing providing information visualizations so the user can distinguish between different days such as past days, a current day, and future days *[paragraph 37]*.

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5-10. Regarding claim 13, Vronay discloses the product of claim 1, wherein the first instructions also generate a delineation between past time and future time, by disclosing providing information visualizations so the user can distinguish between different days such as past days, a current day, and future days *[paragraphs 37-39]*.

5-11. Regarding claim 14, Vronay discloses the product of claim 1, wherein the second instructions associate digital media files with a period of time based upon information associated with the digital media file, by disclosing including information for a computer files such as when the file was created *[paragraph 25]*.

5-12. Regarding claim 15, Vronay discloses the product of claim 1, wherein the second instructions provide a user a presentation mode to access the digital media files, by disclosing that photos may be searched for and accessed *[paragraphs 48, 65]*.

5-13. Regarding claim 16, Vronay discloses the product of claim 1, wherein the second instructions generate a media view that associates digital media files with a past period of time, by disclosing visually distinguishing activities in the past, present, and future *[paragraphs 37-38]*.

5-14. Regarding claim 17, Vronay discloses the product of claim 1, wherein the first instructions generate a calendar view that associates events with respective future



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periods of time, by disclosing visually distinguishing activities in the past, present, and future *[paragraphs 37-38]*.

5-15. Regarding claim 42, Vronay disclose the product of claim 6, wherein the first and second instructions operate concurrently to automatically correlate respective metadata information of the media file and the at least one calendar event, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

### **Claims 20, 21, 43**

5-16. Regarding claim 20, Vronay discloses a method comprising: receiving manual input creating an event in a media diary application, by disclosing a calendar-based user interface that improves user accessibility of information from a computer *[paragraph 1]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches receiving, in the media diary application, a digital media file having metadata associated with the digital media file, the media diary application being configured to represent time in calendar format and visually associate events with respective periods of time, at least one of the events is created and represented in the calendar view independent of any digital media files, by disclosing retrieving information about computer files *[paragraph 26]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches providing a user access to the digital media file via a media view that displays a representation of the digital media file in connection with a time element of the metadata, by disclosing that photos may be searched for and accessed *[paragraph 65; figure 11]*.

5-17. Regarding claim 21, Vronay discloses the method of claim 20, further comprising correlating the metadata in the digital media file with distinct event metadata information for an event created and represented in the calendar format independent of any digital media files, said correlating being prior to providing a user access to the media file via a media view, by disclosing associating events and media files *[paragraph 21]*.

5-18. Regarding claim 43, Vronay discloses the method of claim 21, wherein said correlating the metadata includes automatically correlating the metadata in the digital media file with distinct event metadata event information for an event created and represented in the calendar format independent of any digital media files, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

#### **Claims 22, 44**

5-19. Regarding claim 22, Vronay discloses a method comprising: receiving manual input creating an event in a media diary application, by disclosing a calendar-based user interface that improves user accessibility of information from a computer

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*[paragraph 1]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches receiving a digital media file having metadata associated with the digital media file, by disclosing retrieving information about computer files *[paragraph 26]*.

Vronay teaches transmitting the file, automatically, to the media diary application, the media diary application associating the digital media file with a period in time based on the metadata and being configured to represent time in calendar format and associate events with respective periods of time, at least one of the events is created and represented in the calendar view independent of any digital media files, by disclosing associating events and media files *[paragraph 21]*.

Vronay teaches providing a user access to the digital media file via a media view that displays a representation of the digital media item in connection with the period of time, by disclosing that photos may be searched for and accessed *[paragraph 65; figure 11]*.

5-20. Regarding claim 44, Vronay disclose the method of claim 22, further comprising automatically correlating the metadata in the digital media file with distinct metadata associated with a calendar event created and represented in the calendar format independent of any digital media files, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

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**Claims 26-31, 45**

5-21. Regarding claim 26, Vronay teaches a method comprising: storing information related to a calendar event in an event file, the calendar event being manually created and visually represented in a calendar independent of any digital media files, by disclosing a calendar-based user interface that improves user accessibility of information from a computer *[paragraph 1]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches receiving a digital media file associated with the calendar event, by disclosing retrieving information about computer files *[paragraph 26]*.

Vronay teaches correlating the digital media file with the information in the event file, by disclosing utilizing information stored in a calendar system database as well as information determined by similarity and chunking system to display different levels of time-based information relating the user computer activities and files *[paragraph 33]*.

Vronay teaches creating an accessible representation of the digital media file and at least a portion of the correlated information in the event file, by disclosing displaying visualizations to distinguish events *[paragraphs 37-43]*. Photos may be searched for and accessed *[paragraphs 48, 65]*.

5-22. Regarding claim 27, Vronay discloses the method of claim 26, wherein the storing information related to a calendar event in an event file further comprises storing information related to a calendar event in an event file associated with a calendar

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planner of a media diary, by disclosing creating events for a calendar-based interface *[paragraph 5]*.

5-23. Regarding claim 28, Vronay discloses the method of claim 26, wherein the creating an accessible representation of the digital media file and at least a portion of the correlated information in the event file further comprises creating, in a media view of the media diary, an accessible representation of the digital media file and at least a portion of the correlated information in the event file, by disclosing displaying visualizations to distinguish events *[paragraphs 37-43]*. Photos may be searched for and accessed *[paragraphs 48, 65]*.

5-24. Regarding claim 29, Vronay discloses the method of claim 26, wherein the storing information related to a calendar event in an event file further comprises storing date and event title information related to a calendar event in an event file, by disclosing distinguishing between events *[paragraph 37]*.

5-25. Regarding claim 30, Vronay discloses the method of claim 26, wherein the correlating the digital media file with the information in the event file further comprises correlating metadata in the digital media file with date information in the event file, by disclosing associating computer files with events *[paragraphs 33-35]*.

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5-26. Regarding claim 31, Vronay discloses the method of claim 26, wherein the correlating the digital media file with the information in the event file further comprises correlating metadata in the digital media file with metadata information in the event file, by disclosing associating computer files with events *[paragraphs 33-35]*.

5-27. Regarding claim 45, Vronay discloses the method of claim 30, wherein the correlating the digital media file with the information in the event file includes automatically correlating the digital media file with the information in the event file, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

#### **Claims 32, 33, 46**

5-28. Regarding claim 32, Vronay discloses a method comprising: receiving a media file having associated metadata information, by disclosing retrieving information about computer files *[paragraph 26]*.

Vronay teaches correlating the metadata information with calendar event information relating to a calendared event created manually and visually represented in a calendar independent of any digital media files, by disclosing that users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*. Information stored in a calendar system database is utilized as well as information determined by similarity and chunking

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system to display different levels of time-based information relating the user computer activities and files *[paragraph 33]*.

Vronay teaches determining a manner in which the media file will be represented in a media view of the media diary and presenting the media file as a media file representation in the media view in accordance with the correlation procedure and the determination of the manner of representation, by disclosing that photos may be searched for and presented as shown in *[figures 5-11]*.

5-29. Regarding claim 33, Vronay discloses the method of claim 32, wherein the determining the manner in which the media file will be represented in a media view of the media diary further comprises determining the size of a thumbnail representing the media file, by disclosing displaying a thumbnail *[paragraph 48]*.

5-30. Regarding claim 46, Vronay disclose the method of claim 32, wherein said correlating the metadata information with calendar event information includes automatically correlating the metadata information with calendar event information, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

#### **Claims 37, 40, 41, 47**

5-31. Regarding claim 37, Vronay discloses an apparatus comprising: a processing unit configured receive manual input creating an event, by disclosing a calendar-based

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user interface that improves user accessibility of information from a computer

*[paragraph 1]*. Users may specify appointments, meetings, etc. *[paragraph 5]* which are marked on the calendar to allow users to easily track important events *[paragraph 42]*.

Vronay teaches generating a calendar view that represents time in calendar format and visually associates events with respective periods of time, at least one of the events being created and represented in the calendar view independent of any digital media files, by disclosing displaying visualizations to distinguish events on a calendar *[paragraphs 37-43]*.

Vronay teaches generating a media view that provides access to digital media files and associates digital media files with a period of time, by disclosing that photos may be searched for and accessed *[paragraph 65]*.

5-32. Regarding claim 40, Vronay discloses the apparatus of claim 37, wherein the processing unit is further configured to search the calendar view and the media view in terms of time period, by disclosing searching based on dates *[figure 5]*.

5-33. Regarding claim 41, Vronay discloses the apparatus of claim 37, further comprising a display in communication with the processing unit that presents, independently, the calendar view and the media view, by disclosing *[figure 11]*.

5-34. Regarding claim 47, Vronay disclose the apparatus of claim 37, wherein said processing unit is further configured to automatically correlate respective metadata



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information of the media file and calendar events, at least one of the calendar events being created and represented in the calendar view independent of any digital media files, by disclosing automatically integrating time-based information with metadata tagging *[paragraph 6]*.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-5, 18, 19, 23, 24, 34-36, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vronay et al (Pub. No. US 2003/0156138 A1) and Adcock et al (Pub. No. US 2004/0125150 A1).

### **Claims 3-5, 18, 19**

7-1. Regarding claim 3, Vronay discloses the product of claim 1. Vronay does not expressly teach wherein the first and second instructions operate concurrently to generate a timeline view that combines the calendar view and the media view. Adcock discloses a calendar based graphical user interface for displaying digital images *[paragraph 1]*. Graphical objects representing digital images are displayed within a calendar view having a timeline *[figures 4, 5]*. Digital images are accessible for detailed

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viewing or editing by selection of a displayed graphical object in the calendar [paragraph 35]. This allows users to more efficiently browse images [paragraph 3]. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

7-2. Regarding claim 4, Vronay and Adcock disclose the product of claim 3, wherein the first and second instructions operate concurrently to generate, in the timeline view, a timeline associated with the media view, by disclosing [Adcock, figures 4, 5].

7-3. Regarding claim 5, Vronay and Adcock disclose the product of claim 3, wherein the first and second instructions operate concurrently to generate, in the timeline view, a timeline associated with the calendar view and the media view, by disclosing [Adcock, figures 4, 5].

7-4. Regarding claim 18, Vronay discloses the product of claim 1. Vronay does not expressly teach wherein the second instructions for generating a media view that provides access to the media files within a period in time further generates instruction that adjusts a size of a period of time view according to the amount of the media files in the period of time. Adcock discloses a calendar based graphical user interface for displaying digital images [paragraph 1]. Calendar views are resized based on the

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number of digital images *[paragraph 46]*. This allows users to more efficiently browse images *[paragraph 3]*. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

7-5. Regarding claim 19, Vronay and Adcock disclose the product of claim 18, wherein the second instructions adjust the size of the period of time view so that all the media files within a period of time are visible, by disclosing resizing calendar views based on the number of digital images *[Adcock, paragraph 46; figures 5, 7-12]*.

### **Claims 23, 24**

7-6. Regarding claim 23, Vronay discloses the method of claim 22. Vronay does not expressly teach the claim further comprising providing the user access to the digital media file via a timeline view that combines a timeline with the media view and a calendar view of calendared events. Adcock discloses a calendar based graphical user interface for displaying digital images *[paragraph 1]*. Graphical objects representing digital images are displayed within a calendar view having a timeline *[figures 4, 5]*. Digital images are accessible for detailed viewing or editing by selection of a displayed graphical object in the calendar *[paragraph 35]*. This allows users to more efficiently browse images *[paragraph 3]*. Since Vronay discloses the need to better locate and

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retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

7-7. Regarding claim 24, Vronay and Adcock disclose the method of claim 23, wherein the providing the user access to the digital media file via a timeline view that combines a timeline with the media view and a calendar view of calendared events further comprises providing the user access to the digital media file via a timeline view that combines a timeline with the media view of media files associated with past periods of time and a calendar view of calendared events associated with future periods of time, by disclosing having past and future events [*Vronay, paragraphs 37-39*].

#### **Claims 34-36**

7-8. Regarding claim 34, Vronay discloses the method of claim 32. Vronay does not expressly teach wherein the determining the manner in which the media file will be represented in a media view of the media diary further comprises determining a size of a date column that the representation will reside in. Adcock discloses a calendar based graphical user interface for displaying digital images [*paragraph 1*]. Calendar views are resized based on the number of digital images [*paragraph 46*]. This allows users to more efficiently browse images [*paragraph 3*]. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to

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one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

7-9. Regarding claim 35, Vronay discloses the method of claim 32. Vronay does not expressly teach wherein the determining the manner in which the media file will be represented in a media view of the media diary further comprises determining the size of the media view in proportion to the overall viewing area. Adcock discloses a calendar based graphical user interface for displaying digital images *[paragraph 1]*. Calendar views are resized based on the number of digital images *[paragraph 46]*. This allows users to more efficiently browse images *[paragraph 3]*. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

7-10. Regarding claim 36, Vronay discloses the method of claim 32. Vronay does not expressly teach wherein the determining the manner in which the media file will be represented in a media view of the media diary further comprises determining a quantity of the media files represented in a date column. Adcock discloses a calendar based graphical user interface for displaying digital images *[paragraph 1]*. Calendar views are resized based on the number of digital images *[paragraph 46]*. This allows users to

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more efficiently browse images *[paragraph 3]*. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

### **Claims 38, 39**

7-11. Regarding claim 38, Vronay disclose the apparatus of claim 37. Vronay does not expressly teach wherein said processing unit is configured to generate a timeline view that combines the calendar view and the media view. Adcock discloses a calendar based graphical user interface for displaying digital images *[paragraph 1]*. Graphical objects representing digital images are displayed within a calendar view having a timeline *[figures 4, 5]*. Digital images are accessible for detailed viewing or editing by selection of a displayed graphical object in the calendar *[paragraph 35]*. This allows users to more efficiently browse images *[paragraph 3]*. Since Vronay discloses the need to better locate and retrieve computer information such as files, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the interface of Adcock for browsing the calendar-based interface of Vronay. This would allow users to more efficiently browse images.

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7-12. Regarding claim 39, Vronay and Adcock disclose the apparatus of claim 38, wherein the display presents the timeline view with a timeline associated with the calendar view and the media view, by disclosing [*Adcock, figures 4, 5*].

8. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vronay et al (Pub. No. US 2003/0156138 A1), Adcock et al (Pub. No. US 2004/0125150 A1), and Hullot et al (Pub. No. US 2004/0109025 A1).

8-1. Regarding claim 25, Vronay and Adcock disclose the method of claim 23. Vronay and Adcock do not expressly teach wherein the providing the user access to the digital media file via a timeline view that combines a timeline with the media view and a calendar view of calendared events further comprises providing the user access to the digital media file via a timeline view that combines a scrollable timeline with the media view and a calendar view of calendared events. Hullot discloses a calendar with a scrollable timeline as shown in [*figure 9*]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a scrollable timeline, as taught by Hullot, in the calendar interface of Vronay and Adcock. This would allow users to view times that cannot be fit into the display.

### ***Response to Arguments***

9. The Examiner acknowledges the Applicant's amendments to claims 1, 6, 7, 20-22, 26, 31, 32, 37, 42-44, and 47. Regarding independent claim 1, the Applicant alleges

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that Rothmuller et al (WO 02/057959 A2) and Vronay et al (Pub. No. US 2003/0156138 A1), as described in the previous Office action, do not explicitly teach, "receiving manual entry of events and generating a calendar view that represents time in calendar format and visually associates events with respective periods of time." After further consideration, Examiner has rejected independent claim 1 under 35 U.S.C. 102(e) as being anticipated by Vronay et al (Pub. No. US 2003/0156138 A1).

Applicant alleges that Vronay does not disclose "receiving manual entry of events." Contrary to Applicant's arguments, Vronay discloses that the calendar user interface system would provide and include standard calendar operations, similar to the calendar in numerous conventional calendar programs *[paragraph 35]*. Conventional computer calendars allow for user-specified appointments, meetings, etc. to be added or entered manually *[paragraph 5]*. *[Paragraph 7]* of Vronay discloses "the calendar-based interface system... utilizes a calendar as a dynamic application that does not require direct user input..." This, however, does not preclude events from being manually created. It merely states that a user is not required to provide user input as the calendar-based interface system monitors user activities and identifies metadata associated with computer activities to display on a calendar. Moreover, Vronay discloses presenting future events in a calendar *[paragraph 38]*. If monitoring of events is strictly done without user input and based solely on data collection of activities carried out on a computing device as described by Vronay, there would be no way for the computer to create future events. Consequently, and given the broadest, most



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reasonable interpretation of their claim language, Vronay is considered to anticipate claim 1.

Similar arguments have been presented for independent claims 20, 22, 26, 32, and 37 and thus, Applicant's arguments are not persuasive for the same reasons.

Regarding claim 3, the claim has been rejected under 35 U.S.C. 103 as being unpatentable over Vronay and Adcock et al (Pub. No. US 2004/0125150 A1).

Applicant's arguments with respect to claims 3 has been considered but is moot in view of the new ground(s) of rejection.

Applicant states that dependent claims 2-19, 21, 23-25, 27-31, 33-36, and 38-47 recite all the limitations of the independent claims, and thus, are allowable in view of the remarks set forth regarding independently amended claims 1, 20, 22, 26, 32, and 37. However, as discussed above, Vronay is considered to teach claims 1, 20, 22, 26, 32, and 37, and consequently, claims 2-19, 21, 23-25, 27-31, 33-36, and 38-47 are rejected.

### ***Conclusion***

10. The prior art made of record on attached form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R § 111(c) to consider these references fully when responding to this action. The documents cited therein teach similar systems for a media application diary.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN H. TAN whose telephone number is (571)272-8595. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on 571-272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alvin H Tan/  
Examiner, Art Unit 2173